

## **REMARKS**

In the Office Action, Claims 1-36 were examined and are rejected. In response to the Office Action, Claims 1-3, 5-6, 8-9, 12, 14-17, 19, 21-22, 25-26, 28, 31 and 34-36 are amended, and no claims are added. Applicant respectfully requests reconsideration of pending Claims 1-36 in view of the following remarks.

### **I. Claims Rejected Under 35 U.S.C. §112**

The Examiner has rejected Claim 5 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In response, Applicant has amended Claim 5 to read as follows:

receiving compensation for each data file accessed by a user.

Applicant respectfully submits that Claim 5, as amended, now particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Therefore, Applicant respectfully requests that the Examiner reconsiders and withdraws the 35 U.S.C. § 112, second paragraph rejection of Claim 5.

### **II. Claims Rejected Under 35 U.S.C. §102**

The Examiner has rejected Claims 1, 6, 7, 11, 15, 19, 20, 25, 28, 29, 33 and 34-36 under 35 U.S.C. §102(e) as being clearly anticipated by U.S. Patent No. 6,298,482 issued to Seidman et al. ("Seidman"). Applicant respectfully traverse this rejection.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" Lindemann Maschinenfabrik v. American Hoist & Derrick ("Lindemann"), 730 F.2d 452, 1458 (Fed. Cir. 1994)(emphasis added). Additionally, each and every element of the claim must be exactly disclosed in the anticipatory reference. Titanium Metals Corp. of America v. Banner ("Banner Titanium"), 778 F.2d 775, 777 (Fed. Cir. 1985).

Regarding Claims 1, 15 and 25, Claims 1, 15 and 25 recite analogous claim features. Claim 1 is representative. Claim 1 recites the following claim features which are neither disclosed or suggested by Seidman:

Broadcasting meta-data to one or more client systems, including descriptions of a first plurality of data files available from a service provider system and a second plurality of data files to be broadcast by a broadcast service system;  
rating the first plurality of data files and the second plurality of data files;  
and  
broadcasting, according to the ratings, a subset of the first plurality of data files for selective storage with the one or more client systems according to respective

content rating tables of the one or more client systems, the second plurality of data files to be broadcast by the broadcast service system. (Emphasis added.)

As recited by amended Claims 1, 15 and 25, data files available from a service provider system and data files to be broadcast by a broadcast service system are combined to enable a service provider system to determine a subset of the data files available from the service provider system to broadcast for selective storage within one or more client's systems. Conversely, Seidman discloses a system for two-way digital multi-media broadcast and interactive services; specifically, as recited by Seidman:

The present invention enables the provision, to the user, of the capability to navigate through a large number of video (and other multi-media) resources in a unique fashion. The user can move within and between video sources without exiting the viewing of the video display. By selecting video objects (see above) within the current video, the viewer is given the ability to move to one or more alternative video sources. From that video, the same capability can move the user to another video source and so on. (col. 5, lines 24-32.) (Emphasis added.)

As further described by Seidman:

The digital stream which is transmitted on the downstream path is a multiplex of streams of various media, such as video and audio, and may contain multiple streams of each media type. (col. 4, lines 40-43.) (Emphasis added.)

As defined by Seidman:

A multiplex is a set of media streams which are coordinated for concurrent play, such as a video media stream and an audio media stream. (col. 5, lines 3-5.) (Emphasis added.)

Based on the cited passages above, Applicant respectfully submits that the disclosure of Seidman is limited to the transmission of a digital stream to a user which is a multiplex of streams that are coordinated for concurrent play (*See*, col. 5, lines 3-5) and the use of a set top box to enable the user to navigate through the concurrently transmitted video and audio streams of the multiplex provided within the digital stream transmitted to the user (*See*, col. 5, lines 24-32). As further described by Seidman, the digital stream may be customized according to selection history records generated from monitoring viewing of the user (see col. 6, lines 2-6 and col. 7, lines 5-19).

Applicant respectfully submits that the content provider in the viewer response system, as taught by Seidman, is a single content provider having various video and audio streams, which may be concurrently provided for navigation thereof by a user. In other words, Seidman teaches the coordinated transmission of a multiplex of audio and video streams for concurrent play of the audio and video streams to enable a user to navigate the concurrently transmitted audio and video streams to select a combination thereof and receive a customized digital stream.

Hence, Seidman discloses the concurrent transmission of audio and video streams for navigation by a user and not, as recited by amended Claims 1, 15 and 25, for storage within one or more client systems according to respective content rating tables of the one or more client systems.

Conversely, as recited by amended Claims 1, 15 and 25, the service provider system broadcasts a subset of its available data files according to ratings associated with the data files for selective storage within one or more client systems. Consequently, Applicant respectfully submits that Seidman fails to disclose at least the broadcast of a subset of the data files for storage within one or more client systems by a service provider system as recited by amended Claims 1, 15 and 25.

The case law is clear in establishing that anticipation requires the presence of a single prior art reference disclosure of each and every element of the claimed invention. Id. Here, Applicant respectfully submits that since Seidman fails to disclose each and every element as recited by amended Claims 1, 15 and 25, the Examiner is prohibited from relying on Seidman as an anticipatory reference in order to anticipate amended Claims 1, 15 and 25.

Therefore, for at least the reasons described above, amended Claims 1, 15 and 25 are patentable over Seidman as well as the references of record. Consequently, Applicant respectfully request that the Examiner reconsider and withdraw the § 102(b) rejection of amended Claims 1, 15 and 25.

Regarding Claims 6, 19 and 28, Claims 6, 19 and 28, recite analogous claim features. Claim 6 is representative. Claims 6, 19 and 28 recite the following claim feature which is neither disclosed nor suggested by Seidman:

Storing, based on the content rating table, one or more data files from the second plurality of data files broadcast by the broadcast service system and one or more data files from the subset of the first plurality of data files broadcast by the service provider system. (Emphasis added.)

According to the Examiner, the above-recited claim feature of amended Claims 6, 19 and 28 is disclosed by Seidman at col. 9, lines 45-67 (see page 4, top paragraph of the Office Action mailed 2/25/05).

As indicated by the passages cited by the Examiner:

The user commencing the viewing of the program segments already in progress has the option of viewing it from the point where he entered (i.e., truncating the contents up to that point) or storing the content of that segment prior to viewing and viewing it from the start when the user is ready (col. 9, lines 47-53).

Based on the cited passage above, Applicant respectfully submits that content storage disclosed by Seidman requires user intervention to either view an in progress program segment from the point where he entered or storing that segment for subsequent viewing (see supra).

As further described by Seidman:

Segments may also be stored for future viewing, in case the viewer selects too many segments for display in the program time. Segments may also be reordered, if necessary or desirable, such as in the case where a user selects segments which overlap entirely. For example, in the stream depicted in Fig. 8A, a user may select segments  $d_1$ ,  $b_1$ ,  $a_1$ , and request that they be played in that sequence. Reordering requires STB storage for delayed play. (col. 10, lines 12-19.) (Emphasis added.)

After having carefully reviewed the entire specification of Seidman, Applicant finds no other reference to segment storage other than the cited passages above within Seidman. Hence, Applicant respectfully submits that the segment storage as taught by Seidman is performed in response to some sort of user activity, including user viewing of in progress segments.

As described by Seidman, a user viewing an in progress segment has the option of storing the segment prior to viewing and viewing it from the start when a user is ready (See col. 9, lines 47-56). As further described by Seidman, storing of a segment occurs in response to user activity; specifically, in the situation where the user selects too many segments for display in the program, resulting in segment storage for future viewing. The final storage of segments taught by Seidman occurs where user activity requests segment reordering which requires STB storage for delayed play (See col. 10, lines 12-19).

Accordingly, Applicant respectfully submits that segment storage as taught by Seidman occurs in three situations: (1) user viewing of in progress segments; (2) user selection of too many segments for display; and (3) user requested reordering of segments. Conversely, Claims 6, 19 and 28 perform storage of data files based on a content rating table and not based on some user activity as taught by Seidman. (See col. 9, lines 47-56 and col. 10, lines 10-19.)

Furthermore, as recited by Claims 6, 19 and 28, the data files stored are a combination of data files available from a service provider system and the second plurality of data files that are to be broadcast by a broadcast service system. For at least the reasons indicated above regarding the rejection of Claims 1, 15 and 25, the program segments provided to users, as taught by Seidman, are from a single service provider on a single broadcast service system, and not from a combination thereof as recited by Claims 9, 19 and 28.

Therefore, Applicants respectfully submit that Seidman fails to exactly disclose each and every element as recited by amended Claims 6, 19 and 28. However, the case law is clear in establishing that a *prima facie* case of anticipation requires a prior art reference which exactly discloses each and every element of the claim. Id. Therefore, Applicant respectfully submits that the Examiner is prohibited from using Seidman as an anticipatory reference in order to anticipate Claims 6, 19 and 28 since Seidman lacks the disclosure of each and every element of the claims. Id.

Therefore, Applicant respectfully submits that the Examiner fails to establish a *prima facie* case with anticipation of amended Claims 6, 19 and 28. Accordingly, amended Claims 6, 19 and 28

are patentable over Seidman as well as references of record. Consequently, Applicant respectfully requests the Examiner reconsider and withdraw the § 102(e) rejection of Claims 6, 19 and 28.

Regarding Claims 7 and 11, based on their dependency from Claim 6, are also patentable over Seidman as well as the references of record. Consequently, Applicant respectfully request that the Examiner reconsider and withdraw the § 102(e) rejection of Claims 7 and 11.

Regarding Claim 20, Claim 20 based on its dependency from Claim 19, is also patentable over Seidman as well as the references of record. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 102(e) rejection of Claim 20.

Regarding Claims 29 and 33, based on the dependency from Claim 28, are also patentable over Seidman as well as the references of record. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 102(e) rejection of Claims 29 and 33.

Regarding Claim 34, Claim 34 recites the following claim features which are neither disclosed nor suggested by Seidman:

Wherein the service provider selects a subset of the first plurality of data files and a subset of second plurality of the data files according to the ratings received from the one or more client systems, and  
wherein the service provider system further broadcasts the selected subset of the first plurality of data files for selective storage within the one or more client systems.

For at least the reasons indicated above, Seidman is devoid of any disclosure regarding the combining of data files to be broadcast by a broadcast service system and data files available from a service provider system, to receive ratings of the combined first and second plurality of data files and the subsequent broadcast of the selected subset of the first plurality of data files for selective storage within one of our client systems as recited by Claim 34. Conversely, Seidman teaches that the transmitted program segments are part of the multiplexed digital stream from a single service provider or a single broadcast service system for navigation thereof by a user to select segments to form a customized segment stream. (See, col. 5, lines 24-32.)

Furthermore, Seidman fails to disclose the transmission of a subset of the first plurality of data files for the selective storage within one or more client systems according to respective content rating tables of the client systems. Conversely, the teachings of Seidman are limited to segment storage in response to some user activity. As taught by Seidman, segment storage occurs in three situations: 1) user viewing of in progress segments; (2) user selection of too many segments for display; and (3) user requested reordering of segments.

Hence, Applicant respectfully submits that Seidman does not transmit the multiplex of audio and video streams for selective storage within one or more client systems, but in fact, transmits the multiplex of audio and video streams for concurrent play to enable the user to navigate the

concurrently transmitted video and audio streams to select various desired streams in order to create a customized video stream. (See, col. 5, lines 24–32.)

Accordingly, Applicant respectfully submits that Seidman fails to disclose each and every element as recited by amended Claim 34. However, the case law clearly establishes that each and every element of the claimed subject matter must be exactly disclosed by an anticipatory reference to establish a *prima facie* case of anticipation. Id. Accordingly, Applicant respectfully submits that the Examiner fails to establish a *prima facie* case of anticipation since the Examiner is prohibited from using Seidman's anticipatory reference to anticipate amended Claim 34 as Seidman fails to exactly disclose each and every element of amended Claim 34.

Therefore, amended Claim 34 is patentable over Seidman as well as the references of record. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 102(e) rejection of Claim 34.

Regarding Claims 35 and 36 are based on their dependency from 34 are also patentable over Seidman as well as the references of record. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 102(e) rejection of Claims 35 and 36.

### **III. Claims Rejected Under 35 U.S.C. §103**

The Examiner has rejected Claims 2-4, 8, 12, 14, 16-18, 21-24 and 26 under 35 U.S.C. §103(a) as being unpatentable over Seidman in view of U.S. Patent No. 6,601,237 issued to Ten Kate et al. ("Ten Kate"). Applicant respectfully traverses this rejection.

To establish a *prima facie* case of obviousness, the following criteria must be met: (1) there must be some suggestion or motivation to modify the reference or combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art references must teach or suggest all the claim limitations. (MPEP §2142) For the reasons provided below, the Examiner has failed to establish a *prima facie* case of obviousness in view of the references of record.

Regarding the Examiner's citing of Ten Kate. Ten Kate teaches:

Virtual channel means for creating a user selectable virtual channel for reproducing the programs of said subset, the apparatus being adapted to control the tuner to tune to a channel currently broadcasting a program of said subset. (See col. 1, lines 44-47) As further described by Ten Kate, the virtual channel is created by merely manipulating the information tables describing the digital broadcast stream. Other components need not be adapted, since they perceive the additional virtual channel as a genuine channel . . . since the virtual channel comprises program pointers which are duplicated from the original channels. (col. 2, lines 1-11.) (Emphasis added.)

Based on the cited passages above, Applicant respectfully submits that the virtual channel as taught by Ten Kate is generated from a plurality of programs received in a digital broadcast stream, or a broadcast service system as recited by the claimed invention. Hence, Applicant respectfully submits that the teachings of Ten Kate are expressly limited to:

Automatically tuning to the genuine channels broadcasting the programs compiled in the virtual channel . . . since the virtual channel comprises program pointers which are duplicated from the original channels. (col. 1, line 51 to col. 2, line 11.) (Emphasis added.)

Accordingly, Applicant respectfully submits that the combination of Seidman in view of Ten Kate fails to teach or suggest the broadcasting of a subset of a first plurality of data files available for selective storage within one or more client systems according to respective content rate tables of the one or more client systems, as recited by amended Claim 1. In contrast, the teachings of Seidman are limited to coordinated transmission of various audio and video streams for concurrent play to enable user navigation to the concurrently transmitted audio and video streams to select from the various audio and video streams to create a customized content stream for a user.

Hence, for at least the reasons indicated above, Seidman fails to disclose the transmission of a subset of data files for selective storage within one or more client systems. Likewise, the only reference to program storage in Ten Kate indicates that:

an alternative embodiment is characterized in that the scheduling means are further adapted to record the second program, and reschedule it for the virtual channel to fill a gap before or after the program scheduled for the virtual channel. (col. 2, lines 37-40.) (Emphasis added.)

Consequently, Applicant respectfully submits that the combination of Seidman in view of Ten Kate fails to teach or suggest each of the recited features of amended Claim 1, as required to establish a *prima facie* case of obviousness. Therefore, Applicant respectfully submits that the Examiner is prohibited from establishing a *prima facie* case of obviousness of amended Claim 1, since the combination fails to teach or suggest each of the recited features of amended Claim 1.

Accordingly, Applicant respectfully submits that amended Claims 15 and 25, which recite analogous claim features to Claim 1 are patentable over the combination of Seidman in view of Ten Kate. Therefore, Claims 2-4 based on their dependency from Claim 1, also patentable over the combination of Seidman in view of Ten Kate. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103(a) of Claims 2-4.

Regarding Claim 8, Claim 8 depends from Claim 6. Amended Claim 6 recites the storage of one or more data files from a plurality of data files broadcast by a broadcast service system and the storage of one or more data files from a subset of data files broadcast by a service provider system based on a content rating table.

As indicated above, Seidman fails to teach these recited features of Claim 6. Furthermore, Ten Kate is devoid of any such teachings regarding the storage of data files that are from a combined source of service provider available data files and data files to be broadcast by a broadcast service system. Specifically, the only reference to program storage in Ten Kate indicates that:

An alternative embodiment is characterized in that the scheduling means are further adapted to record the second program, and reschedule it for the virtual

channel to fill a gap before or after the program scheduled for the virtual channel.  
(col. 2, lines 37-40,)

Accordingly, as indicated above, program segment storage as taught by Seidman requires user interaction in the form of viewing of an in process program segment, reordering or program segment, or requesting of an access amount of program segments (see col. 9, lines 47-56 and col. 10, lines 12-19). Hence, Applicant respectfully submits that the teachings of Ten Kate and Seidman, whether viewed in combination or independently, fail to teach or suggest the storing of data files from a second plurality of data files broadcast by a broadcast service system and the storage of data files from a subset of a first plurality of data files broadcast by a service provider system as recited by amended Claim 6.

Accordingly, amended Claim 6 is patentable over the combination of Seidman in view of Ten Kate. Furthermore, Claims 19 and 28 recite analogous claim features to Claim 6 and are therefore also patentable over the combination of Seidman in view of Ten Kate.

Hence, Claim 8, based on its dependency from Claim 6, is also patentable over the combination of Seidman in view of Ten Kate. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claim 8.

Regarding Claims 12 and 22, Claims 12 and 22 recite the following claim features, which are neither taught nor suggested by either the combination of Seidman in view of Ten Kate or the references of record:

selectively receiving, based on the content rating table, a subset of the first plurality of data files broadcast by the service provider system;  
storing the subset of the first plurality of data files broadcast by the service provider system; and  
when data files from the subset of the second plurality of data files are available based on the broadcast schedule, storing one or more of the data files based on the content rating table. (Emphasis added.)

For at least the reasons described above regarding amended Claim 6, Applicant respectfully submits that the combination of Seidman in view of Ten Kate is limited to user interaction in the form of viewing an in progress segment, reordering of program segments, or selection of too many segments as taught by Seidman and the recording of a lower priority second program to fill a gap in a virtual channel as taught by Ten Kate. Accordingly, Applicant respectfully submits that the Examiner is prohibited from establishing a *prima facie* case of obvious of Claims 12 and 22, since the combination of Seidman in view of Ten Kate fails to teach or suggest each of the recited features of amended Claims 12 and 22, and specifically the storing of the subset of the first plurality of data.

Accordingly, Applicant respectfully submits that amended Claims 12 and 22 are patentable over the combination of Seidman in view of Ten Kate as well as the references of record.



Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claims 12 and 22.

Regarding Claim 14, Claim 14, based on its dependency from Claim 12, is also patentable over the combination of Seidman in view of Ten Kate. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claim 14.

Regarding Claims 16-18, Claims 16-18, based on their dependency on Claim 15, are also patentable over the combination of Seidman in view of Ten Kate for at least the reasons described above regarding Claims 2-4. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claims 16-18.

Regarding Claim 21, based on its dependency from Claim 19, for at least the reasons described above, is also patentable over the combination of Seidman in view of Ten Kate. Consequently, Applicant respectfully requests the Examiner reconsider and withdraw the § 103 rejection of Claim 21.

Regarding Claims 23, 24 and 26, Claims 23, 24 and 26, based on their dependency from Claim 22 and for at least the reasons described above, are also patentable over the combination of Seidman in view of Ten Kate. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the §103 rejection of Claims 223, 24 and 26.

The Examiner has rejected Claims 10, 31 and 32 under 35 U.S.C. §103(a) as being unpatentable over Seidman and further in view of Ten Kate and U.S. Patent Application No. 2002/0112235 to Ballou, Jr. et al. ("Ballou"). Applicant respectfully traverses this rejection.

Regarding the Examiner's citing of Ballou, Applicant respectfully submits that the Examiner's citing of Ballou fails to rectify the deficiencies of the combination of Seidman in view of Ten Kate to teach or suggest the combination of data files available from a service provider system and data files to be broadcast by a broadcast service system and the eventual broadcasting of a subset of the first plurality of data files available from a service provider system for selective storage within one or more client systems in combination with the broadcasting of a second plurality of data files by the broadcast service system, as recited by Claim 1. Accordingly, Applicant respectfully submits that Claim 1 is patentable over the combination of Seidman in view of Ten Kate and further in view of Ballou.

Regarding Claim 5, Claim 5, based on its dependency from Claim 1, is also patentable over the combination of Seidman in view of Ten Kate and further in view of Ballou.

Regarding Claims 10, 31 and 32, Claims 10, 31 and 32 depend from Claims 6 and 28, respectively, which each recite the storage of one or more data files from a subset of the second plurality of data files and one of our data files from a subset of the first plurality of data files based on a content rating table.

Regarding the Examiner's citing of Ballou, Applicant respectfully submits that the Examiner's citing of Ballou fails to rectify the deficiencies of the combination of Siedman in view of Ten Kate which perform the storage of data files in response to either some user activity as taught by Seidman (see col. 9, lines 47-56 and col. 10, lines 10-19) or (the storage of a second program to enable rescheduling of a second program to fill a gap in a virtual channel if the second program is not assigned a priority rating)(see col. 2, lines 21-40). Accordingly, Applicant respectfully submits that Claims 6 and 28 are patentable over the combination of Seidman in view of Ten Kate and further in view of Ballou.

Accordingly, Claims 10, 31 and 32, based on their dependency on Claims 6 and 28, respectively, are also patentable over the combination of Seidman in view of Ten Kate and further in view of Ballou. Consequently, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claims 10, 31 and 32.

The Examiner has rejected Claim 30 under 35 U.S.C. §103(a) as being unpatentable over Seidman and further in view of U.S. Patent No. 6,490,722 to Barton et al. ("Barton"). Applicant respectfully traverses this rejection.

Regarding the Examiner's citing of Barton, Applicant respectfully submits that the Examiner's citing of Barton fails to rectify the deficiencies of Seidman in failing to disclose the storage of data files from a subset of second plurality of data files broadcast by a broadcast service system and the storage of one of our data files from a subset of a first plurality of data files broadcast by a service provider system, as recited by Claim 28. Accordingly, Applicant respectfully submits that Claim 28, for at least the reasons described above, is patentable over the combination of Seidman in view of Barton.

Accordingly, Claim 30, Claim 30, based on its dependency from Claim 28, is also patentable over the combination of Seidman in view of Barton. Consequently, Applicant respectfully requests the Examiner reconsider and withdraw the § 103 rejection of Claim 30.

The Examiner has rejected Claim 27 under 35 U.S.C. §103(a) as being unpatentable over Seidman and further in view of Ten Kate and U.S. Patent Application No. 2002/0199194 to Ali ("Ali"). Applicant respectfully traverses this rejection.

Regarding the Examiner's citing of Ali, Applicant respectfully submits that Ali fails to rectify the deficiencies of the combination of Seidman in view of Ten Kate to illustrate the combining of data files available from a service provider system along with data files to be broadcast by a broadcast service system and a selection of a subset of the first plurality data files according to ratings for selective storage within one of our clients systems in combination with a broadcast by the broadcast service system of a second plurality of data files, as recited by Claim 25. Accordingly, Applicant respectfully submits that Claim 25 is patentable over the combination of Seidman in view of Ten Kate and further in view of Ali.

Accordingly, Claim 27, based on its dependency from Claim 25, is also patentable over the combination of Seidman in view of Ten Kate and further in view of Ali. Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the § 103 rejection of Claim 27.

### **CONCLUSION**

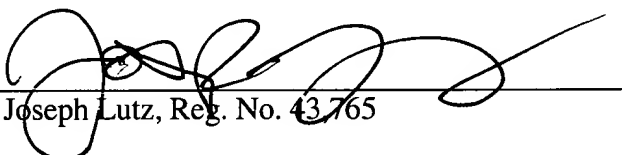
In view of the foregoing, it is submitted that Claims 1-36 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

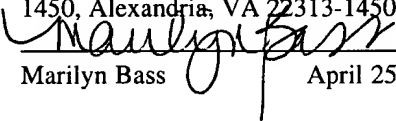
Dated: April 25, 2005

By:   
Joseph Lutz, Reg. No. 43,765

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Marilyn Bass

April 25, 2005